GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:3782
ANSWERED ON:17.08.2000
CLOSURE OF CASES
CHANDRA NATH SINGH;SHEESH RAM SINGH RAVI

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Supreme Court has held that prosecution`s case will be treated as closed, if the investigating agency failed to produce evidence within two years of framing of charges;

(b) if so, the detaisl thereof;

(c) the action taken by the Government in this regard;

(d) the number of cases that have been closed so far;

(e) whether there is also a proposal to discharge the trial cases where the cases have been filed long after their occurrence;

(f) if so, the details thereof ?

Answer

MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (INDEPENDENT CHARGE) AN MINISTER OF STATE OF THE MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS (INDEPENDENT CHARGE)SHRI JAITLEY

(a) & (b) The Supreme Court in Raj Deo Sharma vs. State of Bihar reported in(1998) 7 Supreme Court cases 507, has inter alia directed that `in cases where the trial is for an offence punishable with imprisonment for a period not exceeding seven years, whether the accused is in jail or not, the court shall close the prosecution evidence on completion of a period of two years from the date of recording the plea of the accused on the charges framed whether the prosecution has examined all the witnesses or not within the said period and the court can proceed to the next step provided by law for the trial of the case`.

(c) to (f) Information is being collected and will be laid on the Table of the House.